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Here we feel the touch of the bird personality. The book is full of hints how we may gather the birds about us and keep them there year after year. It should be in every home.

[L. J.]

Birds of Pennsylvania, et al., by H. B. Warren, M. D. Published by the Authority of the Commonwealth. The history of the publication of the various "Bird Books" begins properly with the enactment entitled "The Bounty Law" on June 23rd, 1885, the date which it received the Governor's signature. This law in brief was the establishment of premiums for the destruction of certain noxious birds and animals, namely Hawks, Owls, (excepting the Acadian, Screech or Barn Owls), Wild Cats, Foxes, Minks, and Weasels; "for the benefit of agriculture and the protection of game." It was not until six months had passed or the beginning of 1886 that this law became generally known. The person killing a Hawk or Owl was entitled to the sum of fifty cents for each and every one presented at the office of a Justice of Peace, that official being recompensed for the issuance of certificate and the cremation of the head of the bird, by the further sum of twenty cents per bird. Soon the demands upon the Commissioners and Treasurers of the rural Counties increased at an alarming rate. In eighteen months over \$100,000, had been paid out, of this at least \$75,000, represented the premiums paid on over a hundred thousand Hawks and Owls, principally the following species, although of course many of the less common species were represented: *Falco sparverius* American Sparrow Hawk, *Buteo borealis* Red-tailed Hawk, *Buteo lineatus* Red-shouldered Hawk, *Accipiter cooperi* Cooper's Hawk, *Accipter elox* Sharp-shinned Hawk, *Buteo latissimus* Broad-winged Hawk, *Circus hudsonius* Marsh Hawk, *Asio wilsonianus* long-eared Owl, *Asio accipitrinus* Short-eared Owl, *Buteo virginianus* Great-horned Owl.

The "Scalp Act" as it was called soon became very unpopular with the county officials on account of the increased amount of work without extra compensation. This quickly extended to the tax-payers, first from the heavy expense incurred, and later from a doubt as to the wisdom of destroying without

some discrimination of species. The demand for an expert in this line led to the appointment of Dr. B. Harry Warren, of Chester County, as State Ornithologist, newly created and with a fair salary attached. Of this gentleman, Dr. C. Hart Merriam has said, that his investigations, more than anyone persons had led to a better knowledge of the food habits of these birds. Evidently no one in the State was better qualified to serve in the interest of Economic Ornithology than the appointee. To the credit of the people be it said that as soon as they become better informed on the subject, the hunting and killing merely for the bounty ceased to a large extent before the Legislature met and repealed this injudicious law which was unquestionably born of ignorance. Anxious to atone for their blunder and feeling the need of more light on the subject in its entirety to prevent a repetition of such vicious legislation, a bill was passed, and signed by Governor Beaver authorizing the preparation and publication of a Report on the Birds of Pennsylvania. The appropriation was \$12,000, for an edition of 6000 copies. This appeared in 1888. It was 200 pages and 136 colored illustrations, the text by the State Ornithologist, and the plates after Audubon. The edition was so limited and the demand so great that in 1889 the Governor signed the bill authorizing the State Printer to issue 19,000 additional copies. This appeared rewritten and enlarged as the second edition in 1890, a handsome volume of 434 pages, 100 colored plates and bound in half morroco; a credit to the great State of Pennsylvania. Previous to compiling this edition, the Author sent out a request for information, accompanied by a provisional list of birds found in the State, for checking or annotating. Seventy-six Ornithologists or Oologists complied, among them the writer sent in his meagre list, fully expecting to receive a copy of the work from the Author's allotment of three hundred, but after vain attempts in all possible quarters, secured a copy in perfect condition for \$3.50 at a book store in Philadelphia, where they were to be had at prices varying from \$3.00 to \$4.50 and \$5.00. This was in 1894, long after Governor Patterson had vetoed a bill to issue a third edition, and all hope of receiving a free copy had passed. Outside of the small number

given to the schools, libraries, etc., few books were placed in the hands of those for whom they were really intended. The distribution is a standing disgrace to the Commonwealth. Those who could afford to buy should they have cared for it, were served first, with or without application. Zealous efforts of persons with little political influence to secure copies were rewarded by promises depending on this issuance of another large edition, for fulfillment; or the receipt of copies of an act prohibiting the killing or taking of song or other wild birds, except in certain cases and providing a penalty of a large fine or imprisonment thereto. The Second Edition was said to have been exhausted immediately after it came out, yet seven years after, two days before Christmas, 1897, I personally examined and counted ninety-two perfectly new or unused copies at Leary's Old Book Store in Philadelphia. They were not ever marred by the stamps of a State Official. As they had been on sale for several weeks previous, many must have been disposed of for attractive Christmas presents at a moderate cost, the price being \$3.50. It would be interesting to know the source from whence they were procured.

Following the appearance of the separate editions, the conservatism of the scientific reviewers was in marked contrast to the extravagant praise bestowed upon the Author and his work by the public press; we find the most radical and ignorant of the reviewers comparing this work with that of Wilson and Audubon. Owing to some unfortunate errors in identification made by well meaning informants and the apparent neglect of the Author to look more closely into statements at variance with his experience, many local Ornithologists have, unconsciously perhaps, under-rated the Author and his work; which, if not a model, is at least the equal of its kind.

Governor Pattison having placed himself on record as opposing such bills, no more legislation was attempted in this form until 1895, when the House Bill appropriating \$100,000, for the publication of 24,000 copies reached the Governor after having been reduced to \$28,000, for the same number of copies by the Senate. Rather unexpectedly vetoed by Governor Hastings, there was some talk of passing it over his head as

it probably could easily have been done owing to the general demand, but the framer declined to attempt it, doubtless feeling the trouble of the Executive's words, viz: "Notwithstanding the popularity and value of the work and the general demand upon me especially by the farming people of the State, to sign the bill, I am of the opinion that in the present condition of financial and business affairs, it is not in accordance with wise and prudent economy to spend this sum for such purpose." Words that do him honor, at a time when the whole Nation was suffering from business depression and stagnation; but the point was destined to be gained by methods others than fair and without the Governor's knowledge. "Two officers of the Department of Agriculture, Dr. Pearson, State Veterinarian, and Dr. Warren, Economic Zoologist, prepared a pamphlet in 1896, known as 'BULLETIN No. 17' relating to 'the diseases and enemies of poultry.' Thirty-five hundred copies of this pamphlets were printed at the expense of the State and issued by the Department of Agriculture. The edition was soon exhausted and there were numerous demands for additional copies. In transmitting the bulletin it was stated that the State Zoologist had in course of preparation additional matter, and in course of a few months would be able to prepare a report which would 'show the true life history of the birds and animals of which, at the present time, so many diverse opinions are entertained.' Attention was called to the fact that the value of poultry and eggs annually produced in the State amounted to \$22,000 000. and that the loss to the industry by disease and predatory animals amount to \$2,500,000, annually. That there was a widespread demand for information on the subjects treated of in the bulletin, and it was stated that if the authority was given to prepare documents on different topics of National history they would be 'embellished' with numerous illustrations. With this knowledge and these recommendations before it, the Legislature, with the approval of the Governor, directed the printing of 15,000 copies of 'Bulletin No. 17' with such additional matter and changes as the author might deem necessary, the form of the resolution being: "Resolved (if the Senate concur). That there shall be printed at the earliest possible date, in pamphlet form, 15,000 copies of Bulletin No. 17, of

the Department of Agriculture, entitled 'The Diseases and Enemies of Poultry, with such additional matter and changes as the authors may deem necessary to more fully explain this important subject.' This resolution was approved on March 9, 1897, and on April following the State Printer received from the Superintendent of Public Printing to proceed with the publication of the work, including an order to 'make type pages smaller and double lead as directed, special cover illustrated as directed by the order'." The result was simply astounding, from a pamphlet of less than 200 pages and costing about 11 cents per copy, it had swelled to a bulky paper-bound volume of 866 pages and 103 additional illustrations, costing between \$4.00 and \$5.00 per copy, or a total cost of \$56,000.!

The Governor upon his return from a short visit to the West, was put in possession of the facts and immediately sent for the Secretary of Agriculture and directed him to discharge from the public service Dr. B. H. Warren, State Zoologist, the author of this publication, but was informed that he had already resigned and left the State. (Part of the testimony given by ex-Governor Hastings in behalf of ex-Postmaster General Wanamaker, in the collapsed suit for slander brought by ex-Superintendent of Public Printing Robinson last December.)

The Public Printer was compelled to carry the case to the Supreme Court, where he has just received a favorable decision ordering the State to pay his bill as he had done the work "in a satisfactory manner, and apparently, as far as the relator was concerned in a regular and orderly course of business. The Commonwealth got what it had ordered. If the cost was unduly increased it was because unlimited discretion was given to the authors to make changes and additions. The consequences of such loose and inconsiderate legislation may rest where they belong, and not visited upon the contractor, who appears to have acted faithfully." Where this edition has gone I am unable to say as I have seen but a single copy, but is possible that the recipients will find it less profitable than the former well bound editions; and it is safe to predict the Pennsylvania as a State will be chary of booming Ornithological works of any stamp for years to come. The *second scalp act* was more thorough than the *first*.

[F. L. B.]